

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NAGRAVISION SA,

Plaintiff,

vs.

**COMCAST CORPORATION, COMCAST
CABLE COMMUNICATIONS, LLC,
COMCAST CABLE
COMMUNICATIONS MANAGEMENT,
LLC, COMCAST BUSINESS
COMMUNICATIONS, LLC, COMCAST
OF HOUSTON, LLC, COMCAST
HOLDINGS CORPORATION,
COMCAST SHARED SERVICES, LLC,**

Defendants.

Case No.: 2:16-cv-1362-JRG

JURY TRIAL DEMANDED

UNOPPOSED MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Pursuant to the Federal Rules of Civil Procedure, Plaintiff seeks leave to file an Amended Complaint for Patent Infringement against Defendants. Pursuant to Local Rule CV-7(k), Plaintiff's Amended Complaint will be filed separately but also is attached with this filing as Exhibit 1 with accompanying Exhibits A through E. Plaintiff seeks leave to amend its complaint to add an additional Plaintiff and two patents. This relief is sought in the interests of justice and not to cause undue delay or prejudice. Plaintiff has conferred with Defendants, and this motion is unopposed.¹

¹ Defendants have requested that Plaintiff indicate that although Defendants do not oppose Plaintiff's motion for leave to amend, Defendants have not thereby waived their defense based on improper venue under Fed. R. Civ. P. 12(b)(3) pursuant to 28 U.S.C. § 1400(b) and 28 U.S.C. § 1404(a) as described in their pending motion to dismiss. See Dkt. 33, 48.

Respectfully Submitted,

/s/ Michael K. Plimack w/permission Andrea Fair

Michael K. Plimack (SBN: 133869)

mplimack@cov.com

Winslow Taub (SBN: 233456)

wtaub@cov.com

Alice Ahn (SBN: 245723)

aahn@cov.com

COVINGTON & BURLING LLP

One Front Street

San Francisco, CA 94111

Telephone: (415) 591-6000

Robert T. Haslam (SBN: 71134)

rhaslam@cov.com

COVINGTON & BURLING LLP

333 Twin Dolphin Drive

Redwood Shores, CA 94065

Telephone: (650) 632-4700

R. Jason Fowler (SBN: 990358)

jfowler@cov.com

COVINGTON & BURLING LLP

One CityCenter, 850 10th Street NW

Washington, DC 20001

Telephone: (202) 662-6000

Wesley Hill (wh@wsfirm.com)

Texas State Bar No. 24032294

Andrea L. Fair (andrea@wsfirm.com)

Texas State Bar No. 24078488

WARD, SMITH & HILL, PLLC

PO BOX 1231

Longview, Texas 75606

Telephone: (903) 757-6400

Facsimile: (903) 757-2323

Attorneys for Plaintiff Nagravis SA

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service on this the 24th day of April, 2017.

/s/ Andrea Fair